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EXAMINER	
SINGH, RACHNA	

ART UNIT	PAPER NUMBER
2176	

DATE MAILED: 12/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/799,740	ALLYN, BARRY CHRISTOPHER	
	Examiner	Art Unit	
	Rachna Singh	2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *19 September 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-67* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-67* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *09/19/05*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to communications: application and amendment filed 09/19/05.

2. Claims 1-67 are pending. Claims 1, 11, 19, 28, 36, 47, 55, 60, 66, and 67 are independent claims.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1-67 are rejected under 35 U.S.C. 103(a) as being unpatentable over Haynes, US 6,232,971 B1, 5/15/01 (filed 9/23/98) in view of Southgate, US 5,487,143, 1/1996.

In reference to claim 1, Haynes teaches a method and system for generating variable modality child windows. An application is executed utilizing a GUI which enables a parent window. One or more child windows are made available to the user during execution. The modality of these child windows can be set to non-modal or modeless. Compare to ***"a method in a computer system for displaying modeless windows, the computer system running an application"***. See abstract and columns 1-2. Haynes method comprise the following:

- Displaying a graphical user interface (GUI) to present information to a user. The GUI providing a parent window to initiate execution of an application program. Compare to ***"displaying an application window having a client area; within the client area, displaying a document window"***. See column 2, lines 42-67.
- Displaying various child windows allowing the user to access various functionalities in the application program. The child windows can contain an attribute that allows them to be non-modal. The window may be moved, minimized, or maximized by the user. It is inherent that moving the window could include anchoring it to the edge of the document window. See column 6, lines 20-35. Compare to ***"displaying a modeless window in the document window and anchored to an edge of the document window"*** and ***"within the modeless window, displaying information associated with the application"***. See columns 1-3.

Haynes teaches submerging the modeless window below the document window. See column 6, lines 20-35. A "submerged" window is "collapsed". The levels of modality can be specified to set control options that govern the manner in which the modeless windows interact. Haynes does not disclose a step in which ***"when the modeless window is in a collapsed state, determining a preferred position of the modeless window based upon its open state"***. Southgate discloses a means for managing the display of multiple windows in an efficient manner. The window sizes are automatically adjusted within predefined limits. See abstract. Southgate discloses a means for optimize the multiple windows. Southgate further discloses moving a child window from

an overlapped area to a tiled area by either "clicking, dragging, and dropping the child window" into the tiled area , having the user click on the tile button within the window to be moved, or by having the user access a menu from the main menu bar of the parent window. It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate Southgate's determination of a preferred position into Haynes' system of displaying modeless windows because it helps optimize the display of multiple windows and helps obtain the best position of the child window relative to the document window. Haynes teaches that it is desirable to allow users to continue dialog with an application without interrupting the user's interaction. Haynes further suggests that modeless dialogs represent an effective way of continuously displaying relevant information to users. See columns 1-4 of Haynes.

In reference to claims 2 and 5, Haynes teaches that the modeless child windows are used to allow users to access various functionalities in the application program. See column 1.

In reference to claims 3 and 4, Southgate discloses that windows can be resized and respositioned. It is inherent in Southgate's system that the window could be displayed adjacent to at least two sides of the modeless window since it can be resized and repositioned as such. See abstract. It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate Southgate's determination of a preferred position into Haynes' system of displaying modeless windows because it helps optimize the display of multiple windows and helps obtain the best position of the child window relative to the document window. Haynes teaches that

it is desirable to allow users to continue dialog with an application without interrupting the user's interaction. Haynes further suggests that modeless dialogs represent an effective way of continuously displaying relevant information to users. See columns 1-4 of Haynes.

In reference to claim 5, Haynes discloses that the child window is a modeless window. Displaying various child windows allowing the user to access various functionalities in the application program. The child windows can contain an attribute that allows them to be non-modal. The window may be moved, minimized, or maximized by the user. It is inherent that moving the window could include anchoring it to the edge of the document window. See column 6, lines 20-35.

In reference to claim 6, Haynes system allows multiple child windows to be displayed with the parent window. The child windows allow users to access various functionalities in the application program. See column 1.

In reference to claim 7, Haynes discloses resizing and/or moving childe windows so that there is not an obstructed view. Southgate discloses that windows can be resized and repositioned as well. It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate Southgate's determination of a preferred position into Haynes' system of displaying modeless windows because it helps optimize the display of multiple windows and helps obtain the best position of the child window relative to the document window. Haynes teaches that it is desirable to allow users to continue dialog with an application without interrupting the user's

interaction. Haynes further suggests that modeless dialogs represent an effective way of continuously displaying relevant information to users. See columns 1-4 of Haynes.

In reference to claims 8-9, both Haynes and Southgate teach resizing the window size in response to user input. See column 6 of Haynes.

In reference to claim 10, Haynes discloses submergeing the modeless child window below the parent window during specific user interactions with the parent window. The variable level includes program instructions to handle modal settings such as where there are two or more open applications, how the windows should interact. See column 6.

Claims 11-18 are rejected under the same rationale used in claims 1, 2, 3, 5, 6, 8, 9, and 10 respectively.

In reference to claim 19, Haynes teaches a method and system for generating variable modality child windows. An application is executed utilizing a GUI which enables a parent window. One or more child windows are made available to the user during execution. The modality of these child windows can be set to non-modal or modeless. Compare to ***"a method in a computer system for displaying modeless windows, the computer system running an application"***. See abstract and columns 1-2. Haynes method comprise the following:

- Displaying a graphical user interface (GUI) to present information to a user. The GUI providing a parent window to initiate execution of an application program. Compare to ***"displaying an application window having a client area; within the client area, displaying a document window"***. See column 2, lines 42-67.

- Displaying various (multiple) child windows allowing the user to access various functionalities in the application program. The child windows can contain an attribute that allows them to be non-modal. Compare to ***"displaying a first/second modeless window in the document window"*** and ***"within the modeless window, displaying information associated with the application"***. See columns 1-3.

Haynes does not teach moving locations of the first modeless window if the user input received causes the second modeless window to be moved to a position that would overlap a preferred location of the first modeless window; however, Southgate does. Southgate discloses a means for managing the display of multiple windows in an efficient manner. The window sizes are automatically adjusted within predefined limits. See abstract. Southgate discloses a means for optimize the multiple windows. Specifically, Southgate restricts the display of the overlapped windows to the overlapped window area wherein one or more of the windows are displayed without overlapping. See columns 8-10. Southgate further discloses moving a child window from an overlapped area to a tiled area by either "clicking, dragging, and dropping the child window" into the tiled area , having the user click on the tile button within the window to be moved, or by having the user access a menu from the main menu bar of the parent window. It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate Southgate's determination of a preferred position into Haynes' system of displaying modeless windows because it helps optimize the display of multiple windows and helps obtain the best position of the child window

relative to the document window. Haynes teaches that it is desirable to allow users to continue dialog with an application without interrupting the user's interaction. Haynes further suggests that modeless dialogs represent an effective way of continuously displaying relevant information to users. See columns 1-4 of Haynes.

In reference to claim 20, it is notoriously well-known in the art that a double click and mouse drag are indicators to perform some action, thus having the user input be a double-clicked mouse or mouse drag would have been obvious to one of ordinary skill in the art at the time of the invention.

Claims 21, 22, 24, 25, 26, and 27 are rejected under the same rationale used in claims 3, 4, 5, 8, 9, and 10 respectively above.

In reference to claim 23, Haynes teaches displaying various child windows allowing the user to access various functionalities in the application program. The child windows can contain an attribute that allows them to be non-modal. The window may be moved, minimized, or maximized by the user. It is inherent that moving the window could include anchoring it to the edge of the document window. See column 6, lines 20-35.

Claims 28-35 are rejected under the same rationale used in claims 19, 20, 21, 23, 24, 25, 26, and 27 respectively above.

In reference to claim 36, Haynes teaches a method and system for generating variable modality child windows. An application is executed utilizing a GUI which enables a parent window. One or more child windows are made available to the user during execution. The modality of these child windows can be set to non-modal or

modeless. Compare to ***"a method in a computer system for displaying modeless windows, the computer system running an application"***. See abstract and columns 1-2. Haynes method comprise the following:

- Displaying a graphical user interface (GUI) to present information to a user. The GUI providing a parent window to initiate execution of an application program. Compare to ***"displaying an application window having a client area; within the client area, displaying a document window"***. See column 2, lines 42-67.
- Displaying various (multiple) child windows allowing the user to access various functionalities in the application program. The child windows can contain an attribute that allows them to be non-modal. Compare to ***"displaying a modeless window in the document window that displays information regarding the application"***. See columns 1-3.

Haynes teaches submerging the modeless window below the document window. See column 6, lines 20-35. The levels of modality can be specified to set control options that govern the manner in which the modeless windows interact. Haynes does not disclose a step in which ***"collapsing the modeless window such that a title bar is displayed when user input selects a display position that is not near the modeless window."*** Southgate discloses a means for managing the display of multiple windows in an efficient manner. The window sizes are automatically adjusted within predefined limits. See abstract. Southgate discloses a means for optimize the multiple windows. Southgate further discloses the title name in the "title bar" of a window might be obscured along with the contents of the window. The GUI provides commands for

arranging windows so that at least a small portion of each window is visible. This allows the user to grab and move the window or to bring the window to the top so it is completely visible. However, the small portion of the window that is visible is often not enough to identify the window so the user must "click" on each window in turn until finding the proper window. Windows may be repositioned (without resizing) by grabbing the title bar of the window. See figure 11. It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate Southgate's determination of a preferred position into Haynes' system of displaying modeless windows because it helps optimize the display of multiple windows and helps obtain the best position of the child window relative to the document window. Haynes teaches that it is desirable to allow users to continue dialog with an application without interrupting the user's interaction. Haynes further suggests that modeless dialogs represent an effective way of continuously displaying relevant information to users. See columns 1-4 of Haynes.

Claims 37-46 are rejected under the same rationale used in claims 9, 2, 3, 4, 23, 6, 7, 8, 10, and 5 respectively above.

Claims 47-52 and 54 are rejected under the same rationale used in claims 36, 38, 39, 41, 42, 44, and 45 respectively above.

Claim 53 is rejected under the same rationale as claim 9 above.

Claims 55 and 60 are rejected under the same rationale used in claim 19 above.

In reference to claims 56 and 57, Haynes discloses displaying various child windows allowing the user to access various functionalities in the application program.

The child windows can contain an attribute that allows them to be non-modal. The window may be moved, minimized, or maximized by the user. It is inherent that moving the window could include anchoring it to the edge of the document window. See column 6, lines 20-35.

In reference to claim 58, Haynes discloses displaying various child windows allowing the user to access various functionalities in the application program. The child windows can contain an attribute that allows them to be non-modal. The window may be moved, minimized, or maximized by the user. It is inherent that moving the window could include anchoring it to the edge of the document window. See column 6, lines 20-35.

In reference to claim 59, it is notoriously well-known in the art that a double click is an indicator to perform some action, thus having the user input be a double-clicked mouse would have been obvious to one of ordinary skill in the art at the time of the invention.

In reference to claim 61, Haynes teaches that the modeless child windows are used to allow users to access various functionalities in the application program. See column 1.

In reference to claim 62, Haynes discloses displaying various child windows allowing the user to access various functionalities in the application program. The child windows can contain an attribute that allows them to be non-modal. The window may be moved, minimized, or maximized by the user. See column 6, lines 20-35.

In reference to claim 63, Haynes discloses displaying various child windows allowing the user to access various functionalities in the application program. The child windows can contain an attribute that allows them to be non-modal. The window may be moved, minimized, or maximized by the user. It is inherent that moving the window could include anchoring it to the edge of the document window. See column 6, lines 20-35.

In reference to claims 64 and 65, it is notoriously well-known in the art that a double click and mouse drag are indicators to perform some action, thus having the user input be a double-clicked mouse or mouse drag would have been obvious to one of ordinary skill in the art at the time of the invention.

Claim 66 is rejected in light of the rationale used in claims 1 and 19 above.

Claim 67 is rejected in light of the rationale used in claims 60 and 62 above.

Response to Arguments

5. Applicant's arguments filed 09/19/05 have been fully considered but they are not persuasive.

Applicant amended claims 1 and 11 to recite "the anchored modeless window having at least a collapsed or open state". Haynes teaches displaying modeless child windows wherein the modeless windows can be submerged below a document window. A "submerged" window is "collapsed". Applicant argues that a "closed and invisible" window is not the same as a collapsed window because a collapsed window still has a portion visible (i.e. its title); however, the term "collapsed" means minimized. The claim recitation does not recite that a portion of the collapsed window remains visible.

With respect to claims 19 and 28, Applicant argues Southgate does not teach "moving a present location of the first modeless window if a document movement command from a user is received that causes the second modeless window to be moved to a position which would overlap a preferred location of the first modeless window". Applicant argues Southgate does not teach this feature and only relates to moving a window from an overlapped area (in which windows may overlap) to a tiled area (in which windows may not overlap). Examiner disagrees that the claimed feature is not taught by Southgate. While it is true Southgate relates to moving a window from an overlapped area to a tiled area, Southgate is still "moving a location of the first window to avoid overlap". In fact, Southgate's intent is to manage the display of multiple windows and restrict the display of overlapped windows by moving a child window from an overlapped area to a tiled area which is the same as "moving a location of a first window to avoid overlap".

Applicant further argues with respect to claims 19 and 28, Southgate teaches management of document windows, not modeless windows. Examiner utilized a combination of Haynes and Southgate in the rejection. Haynes teaches a method and system for generating variable modality child windows. An application is executed utilizing a GUI which enables a parent window. One or more child windows are made available to the user during execution. The modality of these child windows can be set to non-modal or modeless. It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate Southgate's determination of a preferred position into Haynes' system of displaying modeless windows because it

helps optimize the display of multiple windows and helps obtain the best position of the child window relative to the document window. Haynes teaches that it is desirable to allow users to continue dialog with an application without interrupting the user's interaction. Haynes further suggests that modeless dialogs represent an effective way of continuously displaying relevant information to users. See columns 1-4 of Haynes.

With respect to claims 36 and 47, Applicant argues Southgate does not teach, "collapsing the modeless window such that a title bar is displayed when user input selects a display position that is not near the modeless window". Haynes does not disclose a step in which ***"collapsing the modeless window such that a title bar is displayed when user input selects a display position that is not near the modeless window."*** Southgate discloses a means for managing the display of multiple windows in an efficient manner. The window sizes are automatically adjusted within predefined limits. See abstract. Southgate discloses a means for optimize the multiple windows. Southgate further discloses the title name in the "title bar" of a window might be obscured along with the contents of the window. The GUI provides commands for arranging windows so that at least a small portion of each window is visible. This allows the user to grab and move the window or to bring the window to the top so it is completely visible. However, the small portion of the window that is visible is often not enough to identify the window so the user must "click" on each window in turn until finding the proper window. Windows may be repositioned (without resizing) by grabbing the title bar of the window. See figure 11. It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate Southgate's

determination of a preferred position into Haynes' system of displaying modeless windows because it helps optimize the display of multiple windows and helps obtain the best position of the child window relative to the document window. Haynes teaches that it is desirable to allow users to continue dialog with an application without interrupting the user's interaction. Haynes further suggests that modeless dialogs represent an effective way of continuously displaying relevant information to users. See columns 1-4 of Haynes.

With respect to claims 55 an 60, Applicant argues the reference does not teach "in response to determining that the second modeless child window would overlap the first modeless child window" anchoring the first modeless child window in a position that does not interfere with the preferred location of the second modeless child window". Southgate relates to moving a window from an overlapped area to a tiled area. In fact, Southgate's intent is to manage the display of multiple windows and restrict the display of overlapped windows by moving a child window from an overlapped area to a tiled area.

In view of the comments above, the rejection is maintained.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rachna Singh whose telephone number is 571-272-4099. The examiner can normally be reached on M-F (8:30AM-6:00PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on 571-272-4136.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RS
12/07/05

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